

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

KELLY RAY DAVIDSON, JR.,

Plaintiff,

v.

JACOB GARCIA, et al.,

Defendants.

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No. 1:24-cv-00197-AGF

MEMORANDUM AND ORDER

This matter is before the Court on two motions to compel filed by self-represented Plaintiff Kelly Ray Davidson, Jr., one asking Defendants to fully answer Plaintiff's interrogatories (ECF No. 18), and the other asking for Defendants to respond to Plaintiff's request for production of documents (ECF No. 19). The motions are dated June 16, 2025, and were received by the Court and filed in the record on June 23, 2025.

On July 1, 2025, Defendants responded to Plaintiff's motion and stated that they in fact responded to Plaintiff's interrogatories and request for production of documents on June 12, 2025, and after Plaintiff re-sent his request for production of documents, Defendants again answered them on June 26, 2025. Defendants state that they sent their responses to Plaintiff at the Butler County Jail in Poplar Bluff, Missouri, and Defendants have attached to their brief the Certificates of Service indicating service of their discovery responses by mail to Plaintiff at the Butler County Jail on June 12, 2025 and June 26, 2025, respectively.¹ See ECF No. 21.

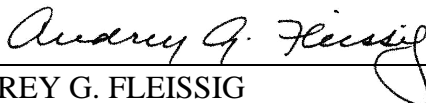
¹ Based on this timing and the delays inherent when sending materials by mail, it is possible that Plaintiff did not receive Defendants' first set of responses until after sending his motion to compel to this Court, and also that Plaintiff sent his motion to compel to this Court before receiving Defendants' second set of responses.

In his reply brief, Plaintiff concedes that Defendants did answer his first set of interrogatories and that Defendants replied to his requests for production of documents. But Plaintiff states that with respect to the latter, Defendants refused to provide documents in response to all requests except for one. Neither party has attached a copy of Defendants' responses to the discovery requests.

Upon careful consideration, the Court will dismiss Plaintiff's motions as moot. Plaintiff's motions only challenged the failure of Defendants to respond to his discovery requests, and it is undisputed that Plaintiff has now received such responses. To the extent that Plaintiff takes issue with specific objections that Defendants have raised in response to certain of the requests for production of documents, Plaintiff must first confer in good faith and attempt to resolve any dispute without Court intervention, as required under Local Rule 3.04.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's pro se motions to compel are **DISMISSED as moot**. ECF Nos. 18 & 19.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 15th day of July, 2025.